

### **REMARKS**

In this Amendment, Applicant has amended Claim 1 to overcome the rejection and further specify the embodiments of the present invention. It is respectfully submitted that no new matter has been introduced by the amendment. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

### **REJECTIONS UNDER 35 U.S.C. § 103:**

Claim 1 has been rejected under 35 U.S.C. §103 as allegedly being unpatentable over Mease et al. (US 6,218,039) in view of Uchida et al. (US 6316139).

Applicant traverses the rejection and respectfully submits that the embodiments of present-claimed invention are not obvious over Mease in view of Uchida. More specifically, Claim 1 has been amended to define that the component part for a fuel battery according to the present invention includes the following features in construction:

- A. a gasket 4 is made of an elastic body 40;
- B. the elastic body 40 is formed on one (3) of separator plates 2 and 3 by means of a dispenser method or a screen printing method;
- C. An initial height of the elastic body 40 is set to be 105% to 130% of a groove gap d2 of a gasket groove 6;
- D. The opposite surfaces of the elastic body 40 are adhered to the separator plates 2 and 3 through adhesives 6 and 9; and
- E. When assembling the fuel battery cell, the separator plates 2 and 3 are compressed so that the contact surfaces 2a and 3a of the separators plates 2 and 3 are closely contacted with each other, then the elastic body 40 is compressed in the gasket groove 6 so that a height h of the elastic body 40 is equal to the groove gap d2 of the gasket groove 6, thereby forming a gasket 4 having a low reaction force in the gasket groove 6.

The above features are sufficiently supported by the descriptions in the specification, such as page 10, lines 19 – 20; page 11, lines 16 – 19 (A); page 12, lines 2 – 5 (B); page 14, lines 2 – 16 (C); page 14, lines 2 – 16 and page 16, lines 8 – 18 (E), respectively.

It is respectfully submitted that neither Mease nor Uchida disclose or suggest the above features. Mease discloses a gasket 302, such as an O-ring seal, mounted in a gasket groove 303. However, the gasket 302 is not found on the gasket groove 303 by means of the dispenser method or the screen printing method and an initial height of the gasket 302 is not set to be 105% to 130% of a groove gap of the gasket groove 303.

Uchida discloses a gasket 23 that is adhered to separator plates 12 via adhesive layer 22. However, the gasket 23 is not compressed between the separator plates 12, is not formed on one of the separator plates 12 by means of the dispenser method or the screen printing method, and an initial height of the gasket 23 is not set to be 105% to 130% of a thickness of an ion exchange membrane 11. Thus, even if Mease is combined with Uchida, they do not teach or suggest all the limitations of the present invention.

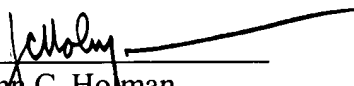
Therefore, the newly presented claims are not obvious over Mease in view of Uchida, and the rejection under 35 U.S.C. § 103 has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 103 is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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